

THE HONORABLE TIFFANY M. CARTWRIGHT

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CANTON PORT SERVICES, LLC

Plaintiff,

v.

M/V INDIGO SPICA
(IMO No. 9708758),

her engines, boilers, apparel, tackle, boats,
appurtenances, etc., *in rem*,

Defendant.

IN ADMIRALTY

Case No. 3:23-cv-06048-TMC

**ORDER ACCEPTING LETTER OF
UNDERTAKING IN LIEU OF ARREST
OF VESSEL**

THIS DAY THIS CAUSE CAME ON TO BE HEARD UPON THE
STIPULATED MOTION of Plaintiff, Canton Port Services, LLC, by and through its
counsel of record Katie Matison and Daniel Miller at Lane Powell PC, and I.M.S.
Maritime S.A., specially-appearing Claimant to the *in rem* Defendant **M/V INDIGO
SPICA, IMO No. 9708758**, by and through its counsel of record Philip Lempriere and
Molly Henry at Schwabe, Williamson & Wyatt, P.C., seeking approval from this Court of
the Letter of Undertaking posted by the Protection and Indemnity Insurer for the INDIGO
SPICA, NorthStandard Limited, as substitute security on behalf of *in rem* Defendant M/V
INDIGO SPICA consistent with Rule E (5)(a) of the *Supplemental Rules for Admiralty
or Maritime Claims and Asset Forfeiture Actions* to the Federal Rules of Civil Procedure
(SAR), and this Court, upon consideration thereof, FINDS:

ORDER ACCEPTING BOND IN LIEU OF ARREST
OF VESSEL - 1
CAUSE NO. 3:23-cv-06048-TMC

135622.0001/9575484.1

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1 THAT Plaintiff Canton Port Services, LLC filed a complaint in this action
2 seeking the Vessel arrest of the M/V **INDIGO SPICA**, IMO No. **9708758**, her engines,
3 boilers, apparel, tackle, boats, appurtenances, etc., *in rem*, pursuant to SAR Rules C and E for
4 foreclosure of an alleged maritime lien for necessities (Dkt. 1];

5 THAT the M/V **INDIGO SPICA**, a bulk carrier, is now, or will be present in the
6 navigable waters within this Judicial District and subject to service of the *In Rem* Warrant
7 to Arrest [Dkt. 6];

8 THAT consistent with SAR E(5)(a) Plaintiff Canton Port Services, LLC has
9 agreed to accept the Letter of Undertaking provided on behalf of *in rem* Defendant M/V
10 **INDIGO SPICA**, subject to approval by the Court, in lieu of the arrest of the M/V
11 **INDIGO SPICA**;

12 THAT a true and correct copy of the Letter of Undertaking is attached to the
13 Stipulated Motion of the Parties as Exhibit A; and

14 THAT consistent with SAR E(5)(a), this Court approves the Letter of Undertaking
15 as substitute security to prevent the arrest of the M/V **INDIGO SPICA**.

16 IT IS THEREFORE ORDERED AND ADJUDGED that the Letter of
17 Undertaking is approved by this Court and that the M/V **INDIGO SPICA** shall not be
18 subject to arrest by the United States Marshal in this action because the Letter of
19 Undertaking is adequate substitute security pursuant to SAR E(5)(a).

20 SO ORDERED AND ADJUDGED ON THIS 20th DAY OF NOVEMBER, 2023.

21 
22 _____

23 Tiffany M. Cartwright
24 United States District Court Judge
25
26
27

1 Presented by:

2 LANE POWELL PC

3 By: s/Katie Smith Matison

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13 *Pro Hac Vice Admission Filed*

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SAR E(8) Claimant re M/V INDIGO SPICA, *in rem*